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Attorneys for Plaintiff
POWERSPEAKING, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

POWERSPEAKING, INC., a California
Corporation,

Plaintiff,

v.

PATRICIA SMITH-PIERCE, an
individual, POWER SPEAKING
CONSULTANTS, an unknown entity, and
DOES 1 through 20, inclusive,

Defendant.

CASE NO. C-08-00963 EMC

**STIPULATION AND ORDER TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE
ORDER**

Plaintiff PowerSpeaking, Inc. ("Plaintiff") and Defendant Patricia Smith-Pierce doing
business as Power Speaking Consultants ("Defendant") hereby stipulate as follows:

A. WHEREAS, the complaint in this matter was filed on February 14, 2008;

B. WHEREAS, service of the summons and complaint was postponed for several
weeks while Plaintiff invited Defendant to enter into discussions aimed at finding a mutually
acceptable resolution;

C. WHEREAS, the Court continued the initial Case Management Conference,

1 originally scheduled for May 21, 2008, to July 2, 2008;

2 D. WHEREAS, the summons and complaint were served on June 2, 2008;

3 E. WHEREAS, the parties have now reached an agreement in principle to settle this
4 matter; and

5 F. WHEREAS, to conserve the resources of the parties and the Court, the parties have
6 agreed to further continue the initial Case Management Conference to allow for negotiation of the
7 terms of a settlement agreement.

8 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

9 Pursuant to Civil L.R. 6-2, and subject to the approval of this Court, the Case Management
10 Conference currently scheduled for July 2, 2008 shall be continued to August 6, 2008, or as the
11 Court's calendar may allow.

12 Dated: June __, 2008

HOPKINS & CARLEY
A Law Corporation

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14 By: _____

Eugene Ashley
Noelle R. Dunn
Attorneys for Plaintiff
POWERSPEAKING, INC.

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18 Dated: June __, 2008

NIRO, SCAVONE, HAYLER & NIRO

19
20 By: _____

William L. Niro
Attorneys for Defendant
PATRICIA SMITH-PIERCE, an individual
doing business as POWER SPEAKING
CONSULTANTS

1 originally scheduled for May 21, 2008, to July 2, 2008;

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4 matter; and

5 F. WHEREAS, to conserve the resources of the parties and the Court, the parties have
6 agreed to further continue the initial Case Management Conference to allow for negotiation of the
7 terms of a settlement agreement.

8 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

9 Pursuant to Civil L.R. 6-2, and subject to the approval of this Court, the Case Management
10 Conference currently scheduled for July 2, 2008 shall be continued to August 6, 2008, or as the
11 Court's calendar may allow.

12 Dated: June 12, 2008

HOPKINS & CARLEY
A Law Corporation

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15 By: 

Eugene Ashley
Noelle R. Dunn
Attorneys for Plaintiff
POWERSPEAKING, INC.

16
17
18 Dated: June __, 2008

NIRO, SCAVONE, HALLER & NIRO

19
20 By: _____

William L. Niro
Attorneys for Defendant
PATRICIA SMITH-PIERCE, an individual
doing business as POWER SPEAKING
CONSULTANTS

ORDER

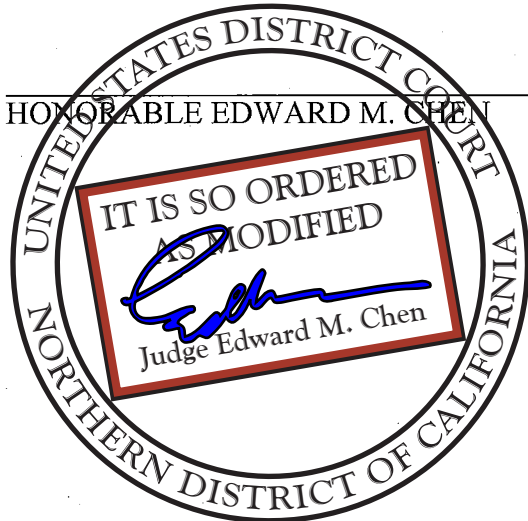
IT IS HEREBY ORDERED THAT:

The initial Case Management Conference in this case is continued to August 6, 2008 in Courtroom C, 15th Floor, San Francisco, at 1:30 p.m. A Joint CMC Statement shall be filed by 7/30/08.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 16, 2008

HONORABLE EDWARD M. CHEN



PROOF OF SERVICE

I am a citizen of the United States and employed in Santa Clara County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is The Letitia Building, 70 S First Street, San Jose, California 95113-2406. On the date indicated below, I served a copy of the within document(s):

**STIPULATION AND ORDER TO CONTINUE INITIAL
CASE MANAGEMENT CONFERENCE**

- ☒ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Jose, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed ____ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a ____ agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by electronically mailing a true and correct copy through Hopkins & Carley's electronic mail system to the email address(s) set forth below, or as stated on the attached service list per agreement in accordance with Code of Civil Procedure section 1010.6(a)(6).

***Attorneys for Defendant Patricia
Smith-Pierce, an individual doing
business as Power Speaking
Consultants***

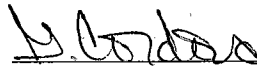
William L. Niro, Esq.
Niro, Scavone, Haller & Niro
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Chicago, Illinois 60602
Fax: 312-236-3137

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above

1 is true and correct.

2 Executed on June 12, 2008, at San Jose, California.

3
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5 Gloria Cordova